



6p2839
#27

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: Benjamin N. Eldridge, et al

Appln. No.: 09/364,788

Confirm. No.: 9878

Filed: July 30, 1999

Title: ~~INTERCONNECT ASSEMBLIES AND METHODS~~ VARIABLE WIDTH RESILIENT CONDUCTIVE CONTACT STRUCTURES

(AS AMENDED) - SEE AMENDMENT filed 9/28/01

PATENT APPLICATION

Art Unit: 2839

Examiner: Prasad, Chandrika

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313, on August 27, 2004.

Thomas A. Ward

(Attorney Signature)

Thomas A. Ward, Reg. 35,732

Signature Date: August 27, 2004

RECEIVED

SEP 07 2004

TECH CENTER 2800

**REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT
DUE TO LOST OR MISSING OFFICE ACTION
INDICATED TO HAVE BEEN MAILED BY USPTO**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. This is a request to accept to withdraw a holding of abandonment due to non-receipt of an Office Action mailed September 12, 2003.
2. This Request is being filed in response to a Notice of Abandonment mailed April 22, 2004 to Stern, Kessler, Goldstein & Fox, P.L.L.C., indicating that this application is abandoned in view of Applicant's failure to timely file a Response to an the Office Action mailed September 12, 2003.
3. Enclosed herewith to support the Office Action was lost or missing are:
 - (a) A copy of an email to Michelle White of FormFactor, Inc. from their former attorney Sterne, Kessler, Goldstein & Fox, P.L.L.C. (who was the official correspondence address at the time the Office Action was mailed) providing a

docket report and stating that they have no records of receiving the Office Action mailed September 12, 2003 for this case Docket No. P84 US.

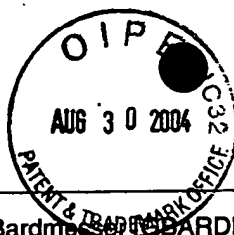
- (b) A Declaration Attesting to non-receipt of Office Action; and
 - (c) A copy of the Notice of Abandonment mailed to Sterne, Kessler, Goldstein & Fox, P.L.L.C.
4. Applicant respectfully requests withdrawal of the Notice of Abandonment and new mailing of the Office Action from the U.S. Patent and Trademark Office.

Respectfully submitted,

Date: 8/27/04

By: Thomas A. Ward
Thomas A. Ward, Reg. 35,732

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800

**Michelle White**

From: George Bardm [mailto:GBARDMES@skgf.com]
Sent: Wednesday, March 31, 2004 1:04 PM
To: Michelle White; Michael Messinger
Cc: Joan Hall; Kanessa Howard
Subject: 2026.0080000 (your ref: P84-US), 2230.0000000

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Dear Michelle:

in response to your inquiry, we reviewed the materials and the logs we have relating to matter 2026.0080000 (your ref: P84-US), and we have no record of ever receiving an office action dated 9/12/03. Attached is our docket report confirming this. A pdf we have of all the materials of the file also shows no such office action.

Hope this helps with the petition.

Best regards,

George.

George S. Bardmesser
Sterne Kessler Goldstein & Fox
1100 New York Avenue, N.W.
Washington, DC 20005
Email: gbardmes@skgf.com
Phone: 202-772-8782
Fax: 202-371-2540
Cellular: 301-802-7605

NOTICE: This e-mail message may contain information that is confidential, proprietary and/or privileged, including attorney-client privilege and/or attorney work product. If you have received this transmission in error, please notify the sender immediately by return email and destroy the original message and all copies.

>>> "Michelle White" <mwhite@formfactor.com> 03/16/04 04:19PM >>>
Mike:

I just got off the phone with him. He indicates that he mailed a non-final OA on 9/12/03, which was before we requested the files to be sent to us. We do not have any record of ever receiving the OA. He is going to issue a formal Notice of Abandonment for which I'll need to file a Petition to Withdrawal Holding of Abandonment based upon Failure to Receive the Office Action. Can you please fax me a copy of your docket record for this matter for use in filing the petition?

Thanks,

Michelle White
Intellectual Property Paralegal

4/16/2004

FILE REPORT

10000 STATUS REPORT

CLIENT REF

10000 P084

PCHASTER REPORTER

239003004 16 52 PAGE: 1

TITLE

INTERCONNECT ASSOCIATES (AS AMENDED)

STATUS

CASE IS INACTIVE

APP.DT

30JUL1999

APP.NO

09/364.788

ACTIONS

DECISION NO FOREIGN FILING
REJECTION/REJECTION REQUIRED
1ST EXAMINER'S REPORT ISSUED
1ST OFFICIAL ACTION
2 MONTH EXTENSION - 1ST OFFICE ACT.
FINAL EXAMINER'S RPT ISSUED
REG. CONT. EXAM APPLICATION
RESPONSE FILED - FINAL REJECTION
2ND EXAMINER'S REPORT ISSUED
2ND OFFICIAL ACT
2 MONTH EXTENSION
FINAL NOT APPLICABLE
FINAL EXAMINER'S RPT ISSUED
RESPONSE FILED - FINAL REJECTION
2 MONTH EXTENSION - FINAL REJECTION
REG. CONT. EXAM APPLICATION
DOCUMENT DUE OR FILED
INFORMATION DISCLOSURE FILED
NOTICE FROM PTO
FILE ASSIGNMENT
REJECTION/REJECTION
FILE TRANSFERRED TO OTHER PARTY
CHANGE OF ADDRESS
NOTICE FROM PTO
DECLARATION
EXAMINER ISSUED ADV. ACTION
POA REVOKED
FILING FEES PAID
NOTICE FROM PTO
MENT TAX

DATE

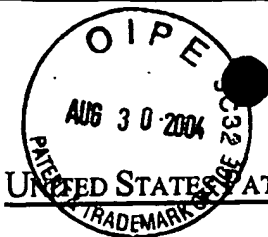
30JUL2000
15AUG2000
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09NOV2000
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18NOV2001
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17MAY2002
28MAY2002
06MAY2003
06MAY2003
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07JUL2003
05AUG2003
13JUL2003

TAKEN

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COMPLETED

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15AUG2000
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06MAY2003
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05AUG2003
13FEB2003
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24JUL2002
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03MAY2003
28MAY2003
30JUL1999
13FEB2002
13FEB2002
13AUG2001
30JUL1999
07JUL2003
07JUL2003
05AUG2003
13JUL2003



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/364,788 ✓	07/30/1999 ✓	BENJAMIN N. ELDRIDGE ✓	P84-US	9878 ✓

7590 04/22/2004

Michael V. Messenger, Esq.
Sterne, Kessler, Goldstein & Fox, P.L.L.C.
110 New York Avenue NW, Ste. 600
Washington, DC 20005

EXAMINER

PRASAD, CHANDRIKA ✓

ART UNIT

PAPER NUMBER

2839 ✓

DATE MAILED: 04/22/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

FormFactor, Inc.
IP Department

Date: 5-22-04 By: PO
Action: Pertin to Pertine
Due Date: 6-22-04
1x 2x 3x
Final: 2204
File No: P84-US
Attorney/Firm: PF

2026,0080000

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APR 26 2004

MMS
MVM
TAW

Mr 4/27

Fliesler, Meyer LLP

File: FACT-01011 USDAction Item: AbandonedDate Due: /Critical Date: /Attorney Path: TAWDocketed By: prev. ok'd.Verified By: /

RmRK



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SEP 07 2004

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Notice of Abandonment

Application No.

09/364,788

Examiner

Chandrika Prasad

Applicant(s)

ELDRIDGE ET AL.

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 12 September 2003.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

called Mr. Ted Wood on 3/16/2004 and 3/26/2004 but no reply was received.

Chandrika Prasad
Examiner
Art Unit: 2839

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



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In re Application

Inventors: Benjamin N. Eldridge, et al
Appln. No.: 09/364,788
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METHODS

PATENT APPLICATION

Art Unit: 2839
Examiner: Prasad, Chandrika

Customer No. 23910

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DECLARATION ATTESTING TO LOST PAPER

I, the undersigned attorney, declare as follows:

1. That based on information provided to me from Michelle White, a representative of FormFactor, Inc., the Office Action mailed September 12, 2003 from the United States Patent and Trademark Office was never received at the client's office of FormFactor, Inc., or at the official correspondence address at the time the Office Action was mailed: Stern, Kessler, Goldstein & Fox, P.L.L.C.
2. That, as evidence in support of non-receipt of the Office Action by Stern, Kessler, Goldstein & Fox, P.L.L.C., an email from Stern, Kessler, Goldstein & Fox, P.L.L.C. to our client FormFactor, Inc., states Stern, Kessler, did not receive the Office Action. A true copy of the email dated August 19, 2004 with a docket report is attached hereto; and
3. That all statements made herein are of my own knowledge and are true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code.

Respectfully submitted,

Date:

8/27/04

By:

Thomas A. Ward
Thomas A. Ward, Reg. 35,732

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: Benjamin N. Eldridge, et al
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PATENT APPLICATION

Art Unit: 2839
Examiner: Prasad, Chandrika

Customer No. 23910

CHANGE OF CORRESPONDENCE ADDRESS FOR ALL PURPOSES

37 C.F.R. §§1.33(d), 1.363(a)(2)

RE ED

SEP 07 2004

Commissioner for Patents
Alexandria, VA 22313

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Sir:

Pursuant to 37 C.F.R. §1.33(d) and §1.363(a)(2), a change in the "correspondence address" for all purposes relating to the above-identified patent application is requested.

Please send all further non-maintenance fee and maintenance fee correspondence to:

THOMAS A. WARD
FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
(415) 362-3800

Respectfully submitted,

Date: 8/27/04

By: Thomas Ward
Thomas A. Ward, Reg. 35,732